(39)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION No. 1604 of 2002

PETITIONERS : 1. M/s. Lakhe Rice Mills, Kosmandi, P.O. Kosmandi, Block – Pallari, Tehsil Baloda Bagar, Distt. Raipur (C.G.)
2. Shri Vilas Lakhe, S/o Balkrishan Rao Lakhe, aged about 52 years, Occupation: Business.
3. Smt. Vishakha Lakhe W/o Vilas Lakhe, aged about 48 years, Occupation: business.
(2 & 3 R/o Civil Lines, Opposite Tahsildar Bungalow, Tehsil: Baloda Bazar, Distt. – Raipur)
4. Shri Tulsi Ram Verma, S/o Dukhuram Verma, aged about 60 years, Occupation: Agriculturist, Kosmandi, P.O. – Amera, Tehsil: Baloda, Distt. – Raipur (C.G.)
5. Shri Padmakar Lakhe, S/o Trimbak Rao Lakhe, aged about 65 Years, Occupation: Agriculturist, Kosmandi Block: Pallari, Tehsil: Baloda Bazar, Dist. Raipur (C.G.)

VERSUS

RESPONDENTS : 1. State Bank of India, through its Chairman and Managing Director, Central Officer, Mumbai.
2. Assistant general manager, State Bank of India, Raipur.
3. Chief General Manager, State Bank of India, Regional Office, Raipur (C.G.)
4. Branch Manager, State Bank of India, Baloda Bazar and Distt. – Raipur (C.G.)

WRIT PETITION U/A. 226/227 OF THE CONSTITUTION OF INDIA.

SB: Hon'ble Shri Satish K. Agnihotri, J.

Present: Shri Sunil Sahu, Advocate for the petitioners.
None for the respondents.

ORAL ORDER

(Passed on 21st day of November, 2007)

1. Learned counsel appearing for the petitioners submits that when the petition was filed, the dispute with regard to recovery of the loan amount was pending before the Debt Recovery Tribunal. Despite pendency of the same dispute, the petitioners have preferred this writ petition seeking direction to the respondents to settle the case under 'one-time-settlement' scheme of the Reserve Bank of India, in accordance with law.

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2. The petitioners filed an application before the respondents-bank for considering their cases but the respondents, by order dated 4.2.2002, rejected the application of the petitioners. The petitioners have not chosen to question the legality of the order dated 04.02.2002, in this Court or before any other forum.

3. The second petition for the same relief which was pending consideration before the Debt Recovery Tribunal is not maintainable in this case. The petitioner has also not challenged the alleged order by which the petitioner is aggrieved. Thus, this petition is dismissed as having no merit.

No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Amit Step